

1 CIRCUIT COURT OF COOK COUNTY, ILLINOIS
2 COUNTY DEPARTMENT - CRIMINAL DIVISION

3 THE PEOPLE OF THE STATE)
4 OF ILLINOIS,)

5 Plaintiff,)

6 -vs-)

7)
8 Defendant.)

9
10 REPORT OF PROCEEDINGS in the
11 above-entitled cause came on for hearing
12 before the Honorable JAMES M. OBBISH,
13 Judge of said Court, on the 17th day
14 of November, 2009.

15 APPEARANCES:

16 HON. ANITA M. ALVAREZ,
17 State's Attorney of Cook County, by:
18 MS. TENE CUMMINGS,
19 MR. PAUL QUINN,
Assistant State's Attorney,
on behalf of the Plaintiff;

20
21 HON. ABISHI C. CUNNINGHAM, JR.,
22 Public Defender of Cook County, by:
23 MR. DAVID MC MAHON,
Assistant Public Defender,
24 on behalf of the Defendant.

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People versus [REDACTED]

Date of Hearing [REDACTED]

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WITNESSESDX CX RDX RCX

ARTHUR FYKES

By Mr. McMahon

8

By Ms. Cummings

16

CLOSING ARGUMENTS

BY MR. MCMAHON

29

1 THE CLERK: [REDACTED]

2 THE COURT: Have a seat, sir,
3 next to your attorney.

4 All right. This is the
5 case of People versus [REDACTED]

6 We were here for a motion
7 filed by Mr. [REDACTED] attorney, the Public
8 Defender, to quash arrest and suppress
9 evidence.

10 Mr. McMahon, you are
11 ready?

12 MR. MCMAHON: Yes, Your Honor.

13 THE COURT: [REDACTED] is present
14 sitting next to counsel.

15 State, are you ready?

16 MS. CUMMINGS: Yes, Your Honor.
17 State is ready.

18 THE COURT: All right. Any
19 opening statement on behalf of the
20 petitioner?

21 MR. MCMAHON: Yes, Your Honor.

22 THE COURT: I will enter an order
23 excluding witnesses. Each party will be
24 responsible for their own.

O P E N I N G S T A T E M E N T

MR. MCMAHON: Your Honor, on
July 13th of this year, at approximately
11:30, 11:35 p.m., [REDACTED] was, the
evidence will show, walking down the
street when he was stopped by police and
taken into custody without a warrant,
without probable cause or exigent
circumstances or any evidence that he had
committed any crime or was committing a
crime.

And after he was taken
into custody, the evidence will show
evidence was recovered from him and I ask
at the end of the hearing that Your Honor
find that the initial seizure of [REDACTED]
was without probable cause and in
violation of his constitutional rights
against unreasonable searches and
seizures and that the evidence that was
recovered be suppressed.

THE COURT: All right. Thank
you.

Miss Cummings.

1 O P E N I N G S T A T E M E N T

2 MS. CUMMINGS: Your Honor, the
3 State submits that you will hear evidence
4 in regards to the date of July 12th that
5 at approximately 11:32, officers were
6 responding to a call, a dispatch of an
7 unknown male wearing a black baseball
8 cap, black shirt breaking into a Volvo in
9 the area of [REDACTED] and that
10 that person was walking southbound on
11 [REDACTED] from that particular location.

12 The officers responded to
13 that particular call, went to this area.
14 They see the defendant matching the
15 description wearing black clothing and
16 also wearing a baseball cap.

17 They approached the
18 defendant at that particular time for a
19 field interview and noticed that he had
20 an known object. At that particular time
21 they saw this, this object was a tape
22 cassette.

23 At that particular time,
24 they continued with their investigation,

1 and asked that the defendant go into *The caller*
2 their police car so that they can go back *never came*
3 to the original area where the call came *out to*
4 out of [REDACTED] *identify*
Subject

5 At that particular time,
6 the police continued with their
7 investigation. They asked customary
8 questions of the defendant.

9 They also attempted to find
10 the owner of this particular Volvo, which
11 they located.

12 It is at that point that
13 the defendant made his own admission in
14 which he stated that he did, in fact,
15 break into this particular vehicle and
16 that he removed an item -- items from
17 that vehicle.

18 And it is at that time that
19 the defendant was then placed in
20 custody.

21 The police follow all
22 procedures in regards to their
23 investigation. There was no violation
24 in regards to the defendant's rights.

*A violation of defendant's fifth Amendment
right and fourth Amendment right.*

1 THE COURT: And I just did not
2 exactly hear. The call was -- what was
3 the call that the officers received?

4 MS. CUMMINGS: Your Honor, the
5 call they were responding to a dispatch
6 call of an unknown male wearing a black
7 baseball cap, black shirt breaking into a
8 Volvo.

9 THE COURT: Breaking into a
10 Volvo?

11 MS. CUMMINGS: In the area of
12 

13 THE COURT: All right. Thank
14 you. You may proceed.

15 MR. MCMAHON: Thank you.

16 I will call Officer Fykes.

17 THE CLERK: Officer, please rise
18 to be sworn. Thank you.

19 (Witness Sworn)

20 THE CLERK: Thank you, sir.

21 THE COURT: All right. Officer,
22 please be seated, sir.

23 Please keep your voice up
24 nice and loud in response to any of the

1 questions that any of the attorneys put
2 to you.

3 Go ahead, Mr. Mc Mahon.

4 ARTHUR FYKES,
5 called as a witness herein, having been
6 first duly sworn, was examined and
7 testified as follows:

8 DIRECT EXAMINATION

9 BY MR. MCMAHON:

10 Q. Will you please state your name
11 and spell name giving your star number.

12 A. My name is Officer Arthur,
13 A-R-T-H-U-R, Fykes, F-Y-K-E-S. Star
14 number 18669. Unit of assignment is 021.

15 Q. And you were a Chicago Police
16 Officer on July 12th of this year?

17 A. Yes.

18 Q. Where were you -- were you on
19 duty and assigned on that date?

20 A. Yes.

21 Q. At approximately 11:35 p.m.,
22 11:30 p.m., were you assigned and on
23 duty?

24 A. Yes.

1 Q. What was your assignment?

2 A. I was in an unmarked tactical
3 car.

4 Q. And were you in the vicinity of
5 [REDACTED]

6 A. Yes.

7 Q. Were you in your vehicle at that
8 time?

9 A. Yes.

10 Q. And at that location, were you
11 the driver or the passenger in the
12 vehicle?

13 A. The driver.

14 Q. And were you on [REDACTED] at
15 approximately 11:30 p.m.?

16 A. No.

17 Q. What road were you on?

18 Were you on a -- you were
19 in your vehicle. What road were you on
20 at approximately 11:30 p.m.?

21 [REDACTED]
22 Q. And did you receive any call?

23 A. Yes.

24 Q. What call did you receive?

1 A. Burglary to auto. *No description made*

2 Q. And did you proceed anywhere?

3 A. Yes.

4 Q. Where did you go?

5 A. I went down northbound on [REDACTED]

6 [REDACTED]

7 Q. Now, [REDACTED] is a one-way street?

8 A. Going northbound, yes.

9 Q. And you were coming from

10 [REDACTED]

11 A. Yes.

12 Q. Is that correct?

13 And as you were going
14 northbound, did you stop?

15 A. Yes. *Did not stop* *relocated*

16 Q. Where did you stop?

17 A. At approximately about 3405 South

18 Indiana. *Should've saw the car in plain view*
hiding the CD player by a fence

19 Q. And what did you do at that time?

20 A. What did I do at that time?

21 Q. Yes.

22 A. I saw a gentleman fitting the
23 description that the radio dispatcher
24 gave for a burglary to auto, at which

1 time I stopped my vehicle, exited my
2 vehicle, and detained the subject and
3 conducted a field interview.

4 Q. Now, you stated you saw someone
5 who fit -- what was the call that you had
6 received?

7 A. That somebody was breaking into
8 an auto at [REDACTED] a Volvo, and
9 that the subject was walking southbound
10 from that vehicle fitting the description
11 of a male black wearing a black baseball
12 cap and a black shirt.

13 Q. Do you know the source of -- did
14 you know at that time the source of that
15 radio call?

16 A. From the 911 dispatcher.

17 Q. Do you know who had provided that
18 description?

19 A. No.

20 Q. Did you know at that time?

21 A. No.

22 Q. When you -- the person that you
23 stopped to conduct the field interview,
24 do you see that person in court?

1 A. Yes.

2 Q. Can you identify him?

3 A. Yes.

4 Q. Where is he?

5 A. [REDACTED] to the left of me
6 sitting in the tan outfit.

7 THE COURT: Indicating for the
8 record Officer Fykes has identified the
9 defendant [REDACTED]

10 BY MR. MCMAHON:

11 Q. And when you stated you stopped
12 him to conduct a field interview, what
13 did you do? *should've found the CD player during the*
field search

14 A. Like I said I stopped, exited. I
15 conducted a field interview at which time
16 I observed in his hand a black object at
17 the time which then revealed that it was
18 a cassette player. *Why didn't defendant hide both*
objects?

19 Q. Before observing that, did you
20 ask him anything or say anything to him?

21 A. Yes.

22 Q. What did you say to him?

23 A. I just asked him -- I knew

24 Mr. [REDACTED] so I asked him where was he

defendant had no time to hide nothing

1 going? Where was he headed? Where did
2 he come from?

Custodial interrogation
He said he just came from

4 down the street from a block away. *Pled the 5th Am.*

5 Q. When you saw you knew him, you
6 had stopped him previously?

7 A. I had arrested him previously.

8 Q. How many times?

9 A. I believe once.

10 Q. Now, after you conducted this
11 interview and you observed this item in
12 his hand, what did you do?

13 A. Like I said for our safety, my
14 partner and I -- well, I conducted a
15 protective pat down to make sure that he
16 didn't have any weapons. *Went in my pockets*

17 We placed him into the *Pg. 10 Stopped*
18 squad car and then we relocated back to *same but*
19 the scene in question. *relocated*

20 Q. Now, at the scene, do you mean
21 the address of --

22 A. The address of the burglary.

23 Q. 3309 South Indiana?

24 A. Yes.

1 Q. Now, Officer, had you proceeded
2 to that scene -- I'm sorry.

3 That address, 3309 South
4 Indiana, had you been to that location
5 before you stopped Mr. Love?

6 A. No.

7 Q. Mr. Love, where was he then when
8 you went to that location?

9 A. In the back seat of the squad
10 car.

11 Q. Was he handcuffed?

12 A. Yes.

13 Q. Now, at some point at 3309 South
14 Indiana, did you read Mr. Love his
15 rights?

16 A. Yes.

17 Q. At what point did you read him
18 his rights?

19 A. After he gave an admission.

20 Q. When you said after he gave an
21 admission -- just to clarify, when I
22 asked you about his rights, I'm referring
23 to his Miranda Rights.

24 A. Yes.

*Never gave
an admission*

I exercised the fifth Amendment

1 Q. Is that what you understand?

2 A. Yes.

3 Q. It is your testimony that you --
4 that Mr. [REDACTED] was read his rights after
5 he gave an admission to you?

6 A. Yes.

7 Q. What was the admission he gave to
8 you?

9 A. Once we relocated back to the
10 scene, he stated that he observed the
11 cassette player and the CD player on the
12 front passenger seat of the vehicle.

13 He noticed that the door
14 was unlocked. He opened up the door,
15 entered the vehicle, sat down, took both
16 items out of the vehicle and exited and
17 then began to walk southbound from that
18 location.

19 Q. Where were you when this
20 admission was made?

21 A. In the vehicle.

22 Q. And where was your partner?

23 A. My partner was outside the
24 vehicle at that time.

1 Q. Had you had any contact with the
2 owner of the vehicle before this
3 statement was made to you?

4 A. No.

5 MR. MCMAHON: One moment, Judge.

6 BY MR. MCMAHON:

7 Q. At the time that you stopped
8 Mr. I [REDACTED] did you have a warrant for his
9 arrest?

10 A. No, I did not.

11 Q. And was he violating any law when
12 you stopped him?

13 A. No, he was not.

14 Q. To your knowledge at that time?

15 A. To my knowledge, no.

16 MR. MCMAHON: I have nothing
17 further, Judge.

18 THE COURT: Cross.

19 CROSS-EXAMINATION

20 BY MS. CUMMINGS:

21 Q. Officer Fykes, you stated that
22 this particular call came through
23 dispatch?

24 A. Yes.

1 Q. It is a flash that appears in
2 your squad car?

3 A. On the radio.

4 Q. Okay. And at that particular
5 time, they gave you a description of a
6 male wearing a black baseball cap and a
7 black shirt?

8 A. Yes.

9 Q. They also stated that they were
10 breaking into a Volvo in the area of
11 [REDACTED]

12 A. Yes.

13 Q. You said that you turned on to
14 [REDACTED] and you then went into the
15 area of approximately [REDACTED]?

16 A. Yes.

17 Q. And it was at that particular
18 time that you saw the defendant?

19 A. Yes.

20 Q. The defendant was dressed in a
21 black shirt?

22 A. Yes.

23 Q. He also had on a black baseball
24 cap?

1 A. Yeah.

2 Q. When you first saw the defendant,
3 approximately how far away from the
4 defendant were you?

5 A. I was in the squad car. So I
6 probably say about maybe 15, 20 feet.

7 Q. And it was night time?

8 A. Yes.

9 Q. But you had your headlights on?

10 A. Yes. Artificial streetlights.

11 Q. And at that particular time once
12 you saw the defendant matching this
13 particular description, was he also
14 walking southbound on [REDACTED]?

15 A. Yes.

16 Q. And that was the direction that
17 the call had also said that the person
18 was walking southbound?

19 A. Yes.

20 Q. Now, when you approached the
21 defendant, you stated that you saw he had
22 an object in his hand?

23 A. Yes.

24 Q. And once you got up to the

1 defendant, you noticed that this object
2 was a tape cassette recorder?

3 A. Yes, tape cassette player.

4 Q. When you looked at it, was it the
5 kind of item that would be in the car?

6 A. Yes.

7 Q. And at that particular time, you
8 stated that you then performed a
9 protective pat down of the defendant for
10 your safety?

11 A. Yes.

12 Q. And you then put the defendant in
13 the back of the car so you could conduct
14 further investigation?

15 A. Yes.

16 Q. And at that particular time, what
17 were you going to do?

18 A. Once I put the defendant back in
19 the squad car, relocated to the address
20 of [REDACTED] and at which time,
21 I pulled up, I noted that the car in
22 question was a Volvo at which time my
23 partner got out to radio in the license
24 plate to find out who the owner was and

1 then at that time, that's when the
2 defendant gave his self admission.

3 Q. Now, when you placed the
4 defendant in your squad car, this tape
5 cassette recorder, you didn't take that
6 from him at that particular time?

7 A. No, I did not.

8 Q. And he was allowed to keep this
9 tape recorder in his possession when he
10 was in the back of the squad car?

11 A. Yes.

12 Q. And why was that?

13 A. Because at that point in time, we
14 didn't know if it was actually his or
15 actually taken from the automobile.

16 Q. And besides the protective pat
17 down, there was no search done of the
18 defendant at that time?

19 A. No.

20 Q. When you relocated to the address
21 of [REDACTED] you stated you saw a Volvo?

22 A. Yes.

23 Q. And this was also one of the
24 things that was mentioned in this

1 dispatch call?

2 A. Yes.

3 Q. And your partner, who was Officer
4 Hunt?

5 A. Yes.

6 Q. He then used the car radio in
7 order to do what?

8 A. To ascertain who the vehicle
9 owner was.

10 Q. And you did this by running the
11 license plate?

12 A. Yes.

13 Q. And did you subsequently find out
14 who the owner of the vehicle was?

15 A. Yes.

16 Q. And did you learn that that
17 person lived nearby?

18 A. Yes, we did.

19 Q. And did that person live across
20 the street from where the vehicle was
21 located?

22 A. Yes.

23 Q. Now, while this -- while you were
24 calling in the car, was the defendant in

1 the vehicle at that time?

2 A. He was in my squad car, yes.

3 Q. And at some point, did Officer
4 Hunt exit the vehicle to go to the
5 address of where the owner of the vehicle
6 was located?

7 A. Yes.

8 Q. And it was at that time that you
9 remained in the car?

10 A. Like I said once we pulled up to
11 the scene, Officer Hunt got out, exited
12 the vehicle to run the license plate.

13 Once he ran the license
14 plate, that's when the defendant gave his
15 admission, and then at which time, as my
16 partner came back to the squad car, I
17 told my partner what he had stated.

18 Then I Mirandized him with
19 my partner present.

20 Q. And it was after the defendant
21 gave you an admission you stated that he
22 told you that he did, in fact, break into
23 this Volvo?

24 A. Yes.

1 Q. And that he removed a CD cassette
2 player and also a tape cassette player?

3 A. Yes.

4 Q. And he also told you that the car
5 was unlocked and that he actually got
6 into the vehicle and sat down?

7 A. Yes.

8 Q. And it is your testimony that at
9 that particular time, you then read or
10 placed the defendant in custody?

11 A. Gave him his rights and charges
12 and we placed him in custody, yes.

13 Q. You gave the defendant his
14 Miranda by reading from your FOP
15 book?

16 A. Yes.

17 Q. After you gave the defendant his
18 rights, he then made further statements?

19 A. Yes.

20 Q. And there were additional items
21 that were recovered after the defendant
22 was given his Miranda?

23 A. Yes.

24 MS. CUMMINGS: One minute, Judge.

1 BY MS. CUMMINGS:

2 Q. Officer, you stated that it was
3 around 11:30 p.m. when you were in the
4 area of 35th Street, correct?

5 A. About 11:32, something like
6 that. *Ain't no something like that*
be more specific

7 Q. And you arrived at where you saw
8 the defendant at [REDACTED] at
9 approximately 11:32 p.m.?

10 A. Yes.

11 Q. Now, how far was [REDACTED]
12 [REDACTED] where you saw the defendant to
13 where the Volvo was located in the area
14 of [REDACTED]

15 A. About a block.

16 Q. So it took him a matter of about
17 30 seconds to get from one address to the
18 next? *suffering from arthritis can't walk that*
fast.

19 A. Yes.

20 Q. Then when you got to the address
21 of [REDACTED], approximately how long were you
22 in the car before the defendant made his
23 admission?

24 A. Probably like maybe about 30

1 seconds, 40 seconds.

2 Q. And you were able to place the
3 defendant under arrest at approximately
4 2235, meaning 11:35?

5 A. Yes.

6 Q. So everything moved pretty
7 quickly from the time you saw the
8 defendant to the time you actually went
9 back to the scene?

10 A. Yes.

11 Q. And it was after the defendant
12 made his admission your partner came out
13 with the owner of the vehicle?

14 A. Yes.

15 MS. CUMMINGS: No further
16 questions, Your Honor.

17 THE COURT: Anything else?

18 MR. MCMAHON: No, Judge.

19 THE COURT: Officer, the
20 defendant that you've described, is he a
21 male black?

22 THE WITNESS: Yes.

23 THE COURT: All right. And that
24 was part of the description the dispatch

1 had sent to you as to the offender that
2 had broken into the Volvo, correct?

3 THE WITNESS: Yes.

4 THE COURT: Prior to the
5 defendant -- you said that you placed the
6 defendant in your squad car and was he
7 handcuffed at that time when he was
8 placed in the back of the squad car?

9 THE WITNESS: Yes.

10 THE COURT: And where did you
11 place this cassette player?

12 THE WITNESS: The cassette player
13 was still on his person.

14 THE COURT: Well, was he able to
15 hold it while he was handcuffed.

16 THE WITNESS: Yeah. It was like
17 in his pocket.

18 THE COURT: It was in his pocket.
19 All right.

20 THE WITNESS: Yeah.

21 THE COURT: And you say you drove
22 back to the area that the radio dispatch
23 had indicated a Volvo had been broken
24 into, and that's at [REDACTED]

1 correct?

2 THE WITNESS: Yes.

3 THE COURT: And at that time you
4 saw -- did you notice anything -- did you
5 see a Volvo there?

6 THE WITNESS: Yes, I did.

7 THE COURT: Did you notice
8 anything unusual about the Volvo?

9 THE WITNESS: I noticed that the
10 door was unlocked, the driver's side.

11 THE COURT: But the door was
12 closed?

13 THE WITNESS: Yes.

14 THE COURT: There were no problem
15 windows or anything?

16 THE WITNESS: No, sir.

17 THE COURT: No locks were broken?

18 THE WITNESS: No, sir.

19 THE COURT: When you opened
20 the -- strike that.

21 You said that the
22 defendant made an admission to you which
23 you have related.

24 Was that in response to any

1 questioning by you or was it just
2 something that the defendant stated?

3 THE WITNESS: It was something
4 that the defendant stated.

5 THE COURT: So you did not ask
6 him about whether or not he had broken
7 into the Volvo before you? You believe
8 he just volunteered the information, an
9 admission about having gone into the car
10 and taking the cassette tape?

11 THE WITNESS: He volunteered the
12 information.

13 THE COURT: I don't have any
14 other questions.

15 Mr. McMahon, do you have
16 any?

17 MR. MCMAHON: No, Judge.

18 THE COURT: State?

19 MS. CUMMINGS: No, Judge.

20 THE COURT: Officer, thank you
21 very much. You may step down.

22 Are there any other
23 witnesses?

24 MR. MCMAHON: No.

1 THE COURT: Defense rests?

2 MR. MCMAHON: Yes.

3 THE COURT: Any argument?

4 C L O S I N G A R G U M E N T

5 MR. MCMAHON: Judge, I submit that
6 the arrest of [REDACTED] occurred on the
7 street. He was handcuffed. He wasn't
8 free to leave. He was placed in the
9 back of the car.

10 At that time, the officer
11 did not have anything other than a call
12 over his radio without knowledge of the
13 source that there may have been a car
14 that was broken into, but there's no
15 corroboration of that.

16 At that point, [REDACTED]
17 was seized without any other information.

18 I ask you to find the
19 arrest occurred at that time without
20 probable cause. He was not committing
21 any crime to the Officer's knowledge and
22 there was no warrant for him.

23 THE COURT: All right. The
24 motion to quash arrest and suppress

1 evidence is going to be denied.

2 The evidence is as
3 produced at this hearing that on
4 July 12th, 2009, Chicago police officer
5 Fykes monitors a radio communication from
6 his central dispatch indicating that a
7 male black wearing a black baseball cap,
8 and an I believe a black shirt was
9 breaking into a Volvo in the area of
10 [REDACTED] in the City of
11 Chicago.

12 The officer was only about
13 a block away in an unmarked squad car.
14 He drove to the scene within 30 seconds
15 of the dispatch. He saw an individual
16 walking down the street.

17 That individual was walking
18 southbound on Indiana. That was also
19 part of the radio dispatch as to the
20 direction of flight of the offender who
21 had broken into the Volvo.

22 He sees what turns out to
23 be the defendant walking in that
24 direction. He's a male black. He is

1 wearing a black baseball cap. And he is
2 wearing a black shirt.

3 At that point in time, the
4 officer stops to conduct further
5 investigation. He notices that the
6 individual he had stopped for this
7 interview has an item in his possession
8 that commonly would be found in a
9 vehicle, and he is walking on foot.

10 The officer I think at
11 that point, very reasonably was entitled
12 to conduct a further investigation of
13 what had occurred at 11:30 at night,
14 and placing the defendant in his squad
15 car after having patted him down, even
16 though he was in handcuffs, was still a
17 part of the investigatory process. And I
18 believe that the officer had reasonable
19 grounds at that point in time to conduct
20 a further investigation and have a mild
21 intrusion into the defendant's rights
22 here.

23 They traveled a very short
24 distance, from [REDACTED] At that

1 point in time, the officer observes that
2 there is a black Volvo at that location.
3 That there was a door opened, and then
4 the defendant volunteers a statement
5 admitting to removing the object from the
6 open door after having entered the open
7 door of the vehicle.

8 At that point in time, the
9 officer had probable cause to place him
10 under arrest, which he did.

11 The motion is denied.

12 MR. MCMAHON: Judge, could we have
13 the date of December 9th? At that time
14 we will be ready to set the matter down
15 for trial.

16 THE COURT: 12-9 for setting?

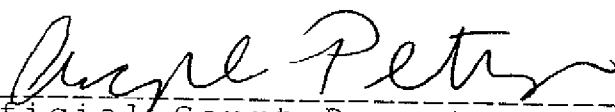
17 MR. MCMAHON: Yes, Judge.

18 THE COURT: All right.

19
20 (WHICH were all the proceedings had in
21 the above-entitled cause.)
22
23
24

1 THE CIRCUIT COURT OF COOK COUNTY ILLINOIS
2 COUNTY DEPARTMENT - CRIMINAL DIVISION

3 I, ANGELA PETRUZZI, an Official
4 Court Reporter for the Circuit Court of Cook
5 County, County Department, Criminal Division,
6 do certify that I reported in shorthand the
7 proceedings had at the hearing in the
8 above-entitled cause, that I thereafter
9 caused the foregoing to be transcribed
10 into typewriting, which I hereby certify to
11 be a true and correct transcript of the
12 proceedings had before the Honorable JAMES M.
13 OBBISH, Judge of said Court.

14
15 
16 -----
17 Official Court Reporter
18 Of the Circuit Court of
19 Cook County, Criminal Division
20 CSR License No. 084-002823

21 Dated this 8th day
22 of December, 2009.
23
24